

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 97-198

Refiled 97-198 at Lorain County Recorder with typo in legal corrected on 2/25/98

Arthur J. Weber
ARTHUR J. WEBER, CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

9-15-97
DATE

Sponsored By:

ORDINANCE NO. 97- 198

COMM. DEV.
F. Bullocks
T. Shores
M. Lotko
G. Gibbs

AN ORDINANCE VACATING A PORTION OF ADDRESS COURT WEST OF EAST RIVER STREET AND EAST OF CHARLES COURT IN THE CITY OF ELYRIA

WHEREAS, This Council is satisfied that there is good cause shown for the vacation of a portion of Address Court which is West of East River Street, East of Charles Court and extends North of an alley as described below, and that it will not be detrimental to the general interest and ought to be made.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELYRIA, STATE OF OHIO:

SECTION 1: That a portion of Address Court North of an existing alley as described below be and the same is hereby vacated:

Situated in the City of Elyria, County of Lorain and State of Ohio. Being known as part of Address Court in the Address Subdivision as recorded in Volume 6, Page 26 of Lorain County Plat Records and more definitely described as follows:

Beginning in the southeasterly corner of Sublot No. 6 in the Address Subdivision, recorded as aforesaid;

Thence North 07 deg. 48' West in the easterly lines of Sublots Nos. 5 and 6 of the Address Subdivision, a distance of 60.56 feet to the northeasterly corner of said Sublot No. 5; said point also being in the northerly line of Original Lot No. 96;

Thence South 90 deg. 00' East along said northerly line of Original Lot No. 96, a distance of 20.00 feet to the northwesterly corner of Sublot No. 9 in the Address Subdivision;

Thence South 07 deg. 48' East along the westerly line of Sublot No. 9 a distance of 60.56 feet to a point;

Thence North 90 deg. 00' West, a distance of 20.00 feet to the place of beginning;

Enclosing a parcel containing 0.0275 acre.

SECTION 2: The ownership of the portion of Address Court hereby vacated and as described above shall revert to Samuel C. and Susan A. Spicer; Samuel C. Spicer and Dale E. and Constance L. Bolger the abutting property owners of each side of said Address Court.

SECTION 3: Samuel C. Spicer, his heirs, executors, administrators and assigns shall grant Dale E. Bolger and Constance L. Bolger, their heirs, executors, administrators and assigns a perpetual easement of ten (10) feet across the westerly ten feet of the vacated Address Court, for the purpose of ingress and egress from an alley to

NO TRANSFER NECESSARY
MARK R. STEWART
LORAIN COUNTY AUDITOR
2/25/98
DEPUTY

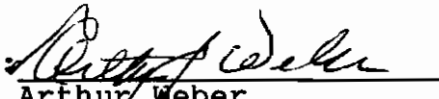
the real property of the said Dale E. Bolger and Constance L. Bolger, known as 06-25-096-000-005.

SECTION 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

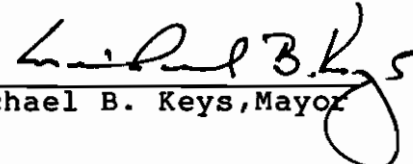
SECTION 5: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 9/2/97


Thomas O. Shores
President

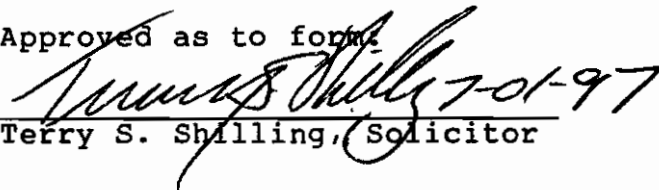
ATTEST: 
Arthur Weber
Clerk

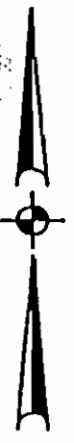
APPROVED: 9/2/97


Michael B. Keys, Mayor

DATED: 9.3.97

Approved as to form:


Terry S. Shilling, Solicitor



SCHEIDE'S ADDITION
P.V. 5 P. 6
6
ALLEN C. MARCUM &
KIMBERLY A. SCOTT
(-007)

SUSAN A. SPICER
(06-25-098-102-011)

CHARLES COURT

EAST RIVER STREET

(ASSUMED)
N90°00'W

O.L. 97
O.L. 96
135'

5
DALE E. & CONSTANCE L. BOLGER
(-005)

ADDRESS SUBDIVISION
P.V. 6 P. 26

6
SAMUEL C. SPICER
(-006)

9
SAMUEL C. &
SUSAN A. SPICER
(-009)

AREA TO BE VACATED
ADDRESS
0.0275 AC.

ALLEY

COURT

10

MAP OF PROPOSED STREET VACATION

PART OF ADDRESS COURT IN THE PLAT
OF ADDRESS SUBDIVISION REC. P.V. 6 P. 26
CITY OF ELYRIA COUNTY OF LORAIN
STATE OF OHIO
MAY 5, 1997

SCALE: 1" = 20'

PREPARED BY
KS ASSOCIATES, INC.
ENGINEERS SURVEYORS

EASEMENT

WHEREAS, Samuel C. Spicer is the owner of certain real
/in the City of Elyria, in OL 96 and
property known as Permanent Parcel No. 06-25-096-000-006 which is
South of and adjoins the property of Dale E. Bolger and Constance
/in the City of Elyria, in OL 96 and
L. Bolger which is known as Permanent Parcel No. 06-25-096-000-005.

WHEREAS, both parties adjoin and are situated on the West side
of Andress Court which is twenty (20) feet wide.

WHEREAS, Dale E. Bolger and Constance L. Bolger use said
Andress Court for ingress and egress to their said parcel.

WHEREAS, the said Andress Court has been vacated by the City
of Elyria by Ordinance No. 97-198.

NOW, THEREFORE, in consideration for \$1.00 and other good and
valid consideration, the undersigned Samuel C. Spicer, single, for
himself, his heirs, executors, administrators and assigns, does
hereby grant to Dale E. Bolger and Constance L. Bolger, their
heirs, executors, administrators and assigns a perpetual easement
of ten (10) feet in width across the Westerly ten (10) feet of the
vacated Andress Court for the purpose of ingress and egress from
and to an alley which adjoins the said parcel of Samuel C. Spicer
on its South from and to the real property of the said Dale E.
Bolger and Constance L. Bolger known as Permanent Parcel No. 06-
/in the City of Elyria, in OL 96 and
25-096-000-005.

Said easement shall be kept open to traffic at all times.

IN WITNESS WHEREOF, the undersigned Samuel C. Spicer has set his hand this 23 day of September, 1997.

Garrett Murray
Garrett Murray

Samuel C. Spicer
Samuel C. Spicer

STATE OF OHIO)
SS
LORAIN COUNTY)

Before me, a notary public in and for said County and State, personally appeared the above-named Samuel C. Spicer, who acknowledged that he did sign the foregoing Easement and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Elyria, Ohio, this 23 day of September, 1997.

Garrett Murray
Notary Public



GARRETT J. MURRAY ATT.
NOTARY PUBLIC, STATE OF OHIO
My Commission Has No Expiration

PREPARED BY:
Garrett J. Murray - prep
Attorney at Law
120 East Avenue
Elyria, Ohio 44035

Re-Rec

~~MARY ANN JAMISON
LORAIN COUNTY RECORDER~~

~~SEP 23 12 46 PM '97~~

~~RECEIVED FOR RECORD~~

MARY ANN JAMISON
LORAIN COUNTY RECORDER

SEP 30 1 29 PM '97

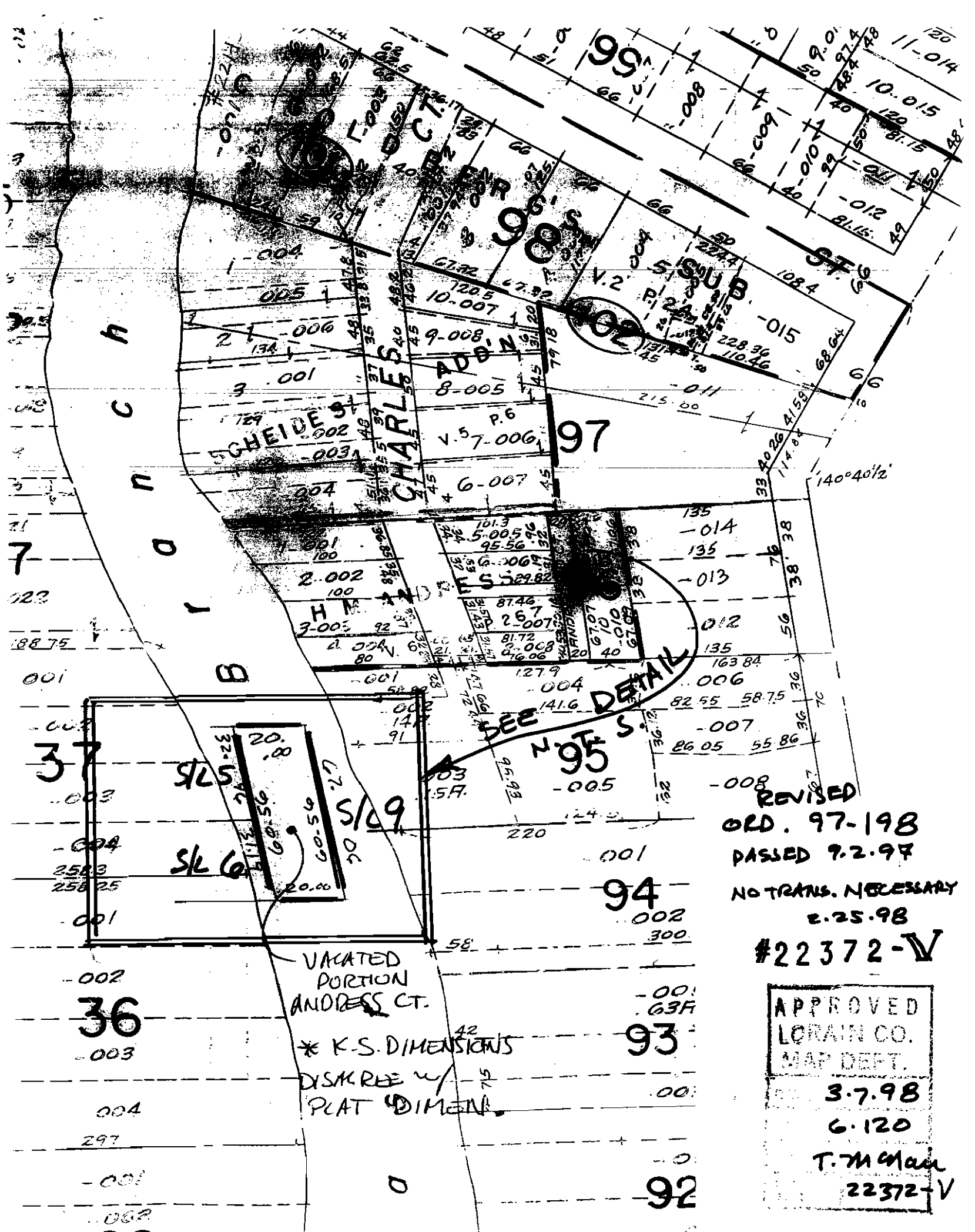
RECEIVED FOR RECORD

This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.
FEE \$ 9-23-97
EXEMPT QW
Mark R. Stewart, County Auditor

Re-recorded to provide city.

~~TH. D. MCF~~

Re-Rec.
16. D. MCF
1 M/E



REVISED
 ORD. 97-198
 PASSED 7.2.97
 NO TRANS. NECESSARY
 2.25.98
 #22372-V

APPROVED
 LORAIN CO.
 MAP DEPT.
 3.7.98
 6.120
 T.M. Man
 22372-V

VACATED
 PORTION
 ANDRESS CT.
 * K.S. DIMENSIONS
 DISAGREE w/
 PLAT DIMEN.

DEE DETAIL
 95 S.

SCHEIDE ST
 CHARLES ADDN
 ANDRESS CT.

